

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**ROSEBELLE  
VILLAHERMOSA CARTIN-  
ENARIO,**

**Plaintiff,**

**1:15-cv-710  
(GLS/DJS)**

**v.**

**ALFRED CASTRO TECSON,**

**Defendant.**

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**APPEARANCES:**

**OF COUNSEL:**

**FOR PLAINTIFF:**

Office of Marc A. Asch  
The Barrister Building  
137 North Park Street, Suite 201B  
Kalamazoo, MI 49007

MARC A. ASCH, ESQ.

**FOR DEFENDANT:**

Law Offices of John Howley  
350 Fifth Avenue, 59th Floor  
New York, NY 10118

JOHN J.P. HOWLEY, ESQ.

**Gary L. Sharpe  
Senior District Judge**

**ORDER**

The above-captioned matter comes to this court following a Report-  
Recommendation and Order by Magistrate Judge Daniel J. Stewart, duly

filed on October 4, 2017. (Dkt. No. 49.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Report-Recommendation and Order for clear error, it is hereby

**ORDERED** that the Report-Recommendation and Order (Dkt. No. 49) is **ADOPTED** in its entirety; and it is further

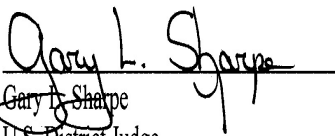
**ORDERED** that defendant's motion to dismiss (Dkt. No. 37) is **GRANTED** for failure to prosecute and comply with court orders and the complaint (Dkt. No. 1) is **DISMISSED** with prejudice; and it is further

**ORDERED** that, in light of the dismissal of the action, defendant's request for monetary sanctions (Dkt. No. 47) is **DENIED**; and it is further

**ORDERED** that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

October 25, 2017  
Albany, New York

  
Gary L. Sharpe  
U.S. District Judge